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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/826,046

04/16/2004

Steven S. Homer

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12/22/2005

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EXAMINER

PAPE, ZACHARY

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/826,046

Applicant(s)

HOMER, STEVEN S.

Examiner

Zachary M. Pape

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20, 22-29 and 31-40 is/are rejected.
- 7) ☐ Claim(s) 10, 21 and 30 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/17/2005 has been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 9, and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 9, and 31 recite the language, "adapted to" and it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchinson, 69 USPQ 138.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 11-20, 31-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Shin et al. (US 2002/0151328).

With respect to claim 1, Shin et al. teaches a portable computer system, comprising: a bezel (55) having a bezel flange (57) adapted to support a screen member (35); and an antenna (40) disposed at least partially between the bezel flange and the screen member (See Paragraph 64, where when the flange (57) surrounds the screen member, it will effectively place the antenna between the itself and the screen member). Additionally, with respect to the recitation, “bezel flange adapted to support a screen member”, it has been held that the recitation that an element is “adapted to” perform a function is not a positive limitation but only requires the ability to so perform, it does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138.

With respect to claim 2, as best can be understood by the examiner, Shin et al. further teaches that the antenna (40) comprises a conductive trace (41) deposited on an interior surface of the screen member (As illustrated in Fig 2).

With respect to claim 3, as best can be understood by the examiner, Shin et al. further teaches that a display device (38) is disposed adjacent an interior surface of the screen member (As illustrated in Fig 2).

With respect to claim 4, as best can be understood by the examiner, Shin et al. further teaches that the antenna extends a predetermined distance along an interior surface of the screen member (As illustrated in Figs 2 and 4, the antenna is a predetermined length and thus will extend along a predetermined distance once attached to the interior surface of the screen member as illustrated in Fig 4).

With respect to claim 5, Shin et al. further teaches that the antenna comprises a pattern portion (43, as illustrated in Fig 3).

With respect to claim 6, Shin et al. further teaches that the antenna comprises an extension portion (From 48a, to 49a) extending from the pattern portion to a screen member connector (As illustrated in Fig 3).

With respect to claim 7, as best can be understood by the examiner, Shin et al. further teaches that the antenna comprises an extension portion (As illustrated in Fig 5 by the dashed lines) extending to at least two side areas of the screen member (See also paragraph 60).

With respect to claim 8, Shin et al. teaches a screen member connector (48a) adapted to conductively couple the antenna (40) to an internal antenna circuit of the portable computer system.

With respect to claim 9, it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform, it does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138.

With respect to claim 11, Shin et al. further teaches a portable computer system, comprising: means (50, 55) for supporting a screen member (See paragraph 64); and antenna means (40) disposed at least partially between a flange (57) of the supporting means and an interior surface of the screen member (See paragraph 64).

With respect to claim 12, Shin et al. further teaches a means (48a) for conductively coupling the antenna means (40) to an internal antenna circuit (43) of the portable computer system.

With respect to claim 13, Shin et al. further teaches means (47, 52a, and 54) for conductively coupling the antenna means to the supporting means (Since the antenna means (40) is conductively coupled to the side of the screen member (via 47) and the screen member is conductively coupled to the means (50, 55) for supporting the display, the antenna means is conductively coupled to the supporting means).

With respect to claim 14, Shin et al. further teaches that the antenna means (40) comprises conductive means (41) deposited on the interior surface of the screen member (As illustrated in Fig 4).

With respect to claim 15, Shin et al. further teaches a display means (38) disposed adjacent the interior surface of the screen member (As illustrated in Fig 2).

With respect to claims 16-20, the method steps recited in the claims are inherently necessitated by the device structure as taught by the Shin et al. reference.

With respect to claim 31, Shin et al. further teaches a portable computer system, comprising: a bezel flange (Generally 82)) adapted to support a screen, the bezel flange having a conductive path (Inherent in any metallic object such as the bezel flange (82)

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of Shin et al.) extending therethrough to conductively couple an antenna (Comprising 92, 93, 87, 94) to an antenna circuit (95). Additionally, with respect to the language "adapted to", it has been held that the recitation that an element is "adapted to" perform a function is not a positive limitation but only requires the ability to so perform, it does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138. Therefore the structural limitation "a screen" has not been positively recited and therefore is given little patentable weight.

With respect to claim 32, Shin et al. further teaches an electrically conductive via (94) formed in the bezel flange.

With respect to claim 33, Shin et al. further teaches a connector (92) configured to conductively couple the antenna to a via formed in the bezel flange.

With respect to claim 34, as best can be understood by the examiner, Shin et al. further teaches that the bezel flange (82) extends between a screen (67) and a display device (Where the display device is located behind the screen in the frame (68) and therefore since the bezel flange (82) is mounted on the side of the frame (68) it will, at least in part, extend between the screen and the display device).

**Claims 22-27, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakajima et al. (Patent # 6,456,499).**

With respect to claim 22, Nakajima et al. further teaches a portable computer system (1), comprising: a screen (10), a display device (7) disposed adjacent an interior

surface of the screen, and an antenna (12) disposed on the interior surface of the screen (10).

With respect to claim 23, Nakajima et al. further teaches that the antenna comprises a pattern portion (See Fig 1 above)

With respect to claim 24, Nakajima et al. further teaches that the antenna comprises an extended portion extending from the pattern portion to a screen member connector (15, See Fig 1 above).

With respect to claim 25, Nakajima et al. further teaches that the antenna is conductively coupled (via connector 15) to an internal antenna circuit (wire 16 which leads to the internal circuit in the body of the computer) of the portable computer system.

With respect to claim 26, insofar as the bezel (9) of Nakajima et al. helps maintain the antenna in place, the bezel conductively couples the antenna to the internal antenna circuits of the computer.

With respect to claim 27, Nakajima et al. further teaches the use of a bezel (8, 9) having a flange (See Fig 2 below) disposed between the screen and the display device.

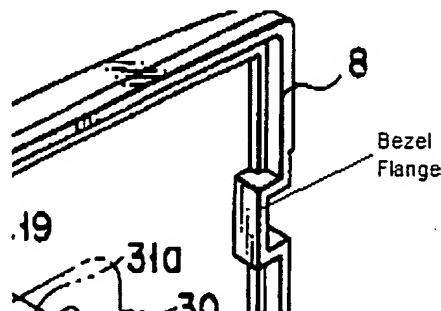


Fig 2



With respect to claim 29, Nakajima et al. further teaches that the antenna extends a predetermined distance along an interior surface of the screen (As illustrated in Fig 4 between holes 31a and 31b).

**Claims 35-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Asano et al. (US 2002/0021250).**

With respect to claim 35, Asano et al. teaches a portable computer system, comprising: a screen (13); and an antenna (20) formed on the screen (As illustrated in Fig 16).

With respect to claims 36-39, Asano et al. further teaches that the antenna comprises at least one conductive trace (20b) deposited/applied to a (an interior) surface of the screen (as illustrated in Fig 16).

With respect to claim 40, Asano et al. further teaches that the screen comprises a transparent screen (Since the screen of Asano et al. is for displaying data, graphics, etc, it must inherently be transparent).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima et al. in view of Chen (Patent # 6,809,689).

With respect to claim 28, Nakajima et al. teaches the limitations of claim 22, above, but fails to teach the use of a conductive via. Chen teaches the conventionality of using a conductive via (13, 14) to electrically couple an antenna to the internal circuitry thereof. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a conductive via to provide a signal from one side of the antenna substrate to the other and thus providing a stronger signal to the internal circuitry of the antenna through the connector (15).

#### ***Allowable Subject Matter***

5. Claims 10, 21, and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

6. With respect to claim 10, the allowability resides in the overall structure of the device as recited in dependent claim 10 and at least in part because claim 10 recites, "the bezel comprises a conductive via conductively coupling the antenna to an internal antenna circuit of the portable computer system".

The aforementioned limitations in combination with all remaining limitations of claims 1, and 10 are believed to render said claim 10 patentable over the art of record.

7. With respect to claim 21, the allowability resides in the overall structure of the device as recited in dependent claim 21 and at least in part because said claim 21 recites, "a bezel comprises providing a bezel having a conductive via conductively coupling the antenna to an internal antenna circuit of the portable computer system"

The aforementioned limitations in combination with all remaining limitations of claims 16 and 21 are believed to render said claim 21 patentable over the art of record.

8. With respect to claim 30, the allowability resides in the overall structure of the device as recited in dependent claim 30 and at least in part because said claim 30 recites, "a bezel flange disposed between the screen and the display device, the antenna disposed between the bezel flange and the interior surface of the screen".

The aforementioned limitations in combination with all remaining limitations of claims 22 and 30 are believed to render said claim 30 patentable over the art of record.

### ***Response to Arguments***

9. With respect to applicant's amended title, the examiner accepts the currently amended title.

Applicant's arguments with respect to claims 1, 11, and 16 (and their respective dependents) have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's arguments filed with respect to claim 22 (and its respective dependents) has been fully considered but they are not persuasive.

The applicant's note that Nakajima does not appear to disclose or even suggest, "a screen" and "a display device disposed adjacent an interior surface of the screen" or "an antenna disposed on the interior surface of the screen". The examiner respectfully disagrees. The examiner holds that the entire display unit (3) of Nakajima is a screen in which the screen comprises both a display device (7) and an antenna (12 – among other features) located both adjacent an interior surface (10) and disposed on an interior surface (10) respectively as illustrated in Fig 1 and 2. For this reason Nakajima teaches each and every limitation of claim 22.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,048,118; US 6,972,721; US 6,509,877; US 6,219,227; US 2004/0047139;  
US 6,879,293; US 6,825,811; US 2005/0270244 US 6,630,908; US 6,670,926; US  
6,654,231; US 2004/0201528

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ZMP

A handwritten signature in black ink, appearing to read 'A. Vortman', with a long horizontal flourish extending to the right.

**ANATOLY VORTMAN  
PRIMARY EXAMINER**